



Entered on Docket  
August 26, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Fifth Omnibus Objection  
Of USACM Trust To Proofs Of Claim  
Based In Whole or In Part Upon  
Investment In The Eagle Meadows Loan**

Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Eagle Meadows Loan." ("Eagle Meadows Loan") [DE 8564] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Eagle Meadows Loan; and  
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8564] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those  
6 claims are based upon an investment in the Eagle Meadows Loan.  
7

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**  
10

11 By /s/ John Hinderaker (AZ #018024)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).  
XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
 LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
 Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Eagle Meadows  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Eagle Meadows Development Loan</b>
10725-00153	8/14/2006	APG Trust Dated 7/5/00	C/O Alex G Gassiot Ttee 3710 Clover Way Reno, NV 89509	250,260.00	50,000.00
10725-00204	8/17/2006	APG Trust Dtd 7/5/00	C/O Alex G Gassiot Ttee 3710 Clover Way Reno, NV 89509	121,281.04	59,283.08
10725-01177	11/10/2006	Arthur E & Thelma Kebble Family Trust Dtd 5/19/95	C/O Arthur E & Thelma M Kebble Ttees 9512 Salem Hills Ct Las Vegas, NV 89134-7883	327,563.97	53,213.93
10725-00089	8/6/2006	Augustine Tufanelli Family Trust	Augustine Tufanelli Ttee C/O Thomas R Brooksbank 210 West Liberty Street Suite 1, Box 3479 Reno, NV 89501	250,000.00	50,000.00
10725-01626	12/8/2006	Aylene Geringer & Mark Zipkin	420 Weiby Avenue Silverton, OR 97381	20,425.79	8,790.29
10725-01155	11/9/2006	Brauer, Nancy IRA	2222 Albion St Denver, CO 80207-3708	90,998.45	50,000.00
10725-00861	11/13/2006	Charlotte Snopko Marital Trust Dtd 8/31/04	Frank Snopko Ttee Stephen R Harris Esq Belding Harris & Petroni Ltd 417 W Plumb Lane Reno, NV 89509	100,000.00	Unknown
10725-02261	1/12/2007	Cibb Inc Pension Plan	Ronald A Johnson Ttee 50 Snider Way Sparks, NV 89431	405,600.00	50,000.00
10725-02190	1/12/2007	Colborn Revocable Living Trust Dtd 8/6/90	Larry E & Loretta A Colborn Ttees 1127 Broken Wagon Trail Dewey, AZ 86327	488,408.12	50,000.00
10725-00092	8/9/2006	Corison, James	1427 Kearney Street St. Helena, CA 94574	1,023,000.00	50,000.00

**EXHIBIT A**